

ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

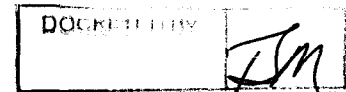
GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

2012 DEC -4 A 11: 30

ACC CORP COMMISSION
DOCKET CONTROL

DOCKETED

DEC 04 2012



Approval of Construction for Well #4 Extension

W-04254A-08-0362
DOCKET NO. W-04254A-08-0361
DECISION NO. 71317

Montezuma Rimrock Water Company LLC hereby requests an extension for its Approval of Construction of Well #4.

MRWC has been working in good faith with ADEQ, ACC, and Yavapai County since 2008, MRWC has made an alternative source of drinking water available to its customers through a reverse osmosis unit located at its business office. In 2011, the company encountered difficulties with financing and sought an extension for performance under the Consent Order due to events beyond MRWC's control on March 24, 2011. See Tab 1. These events included the requirement to obtain Arizona Corporation Commission ("ACC") approval for private financing after MRWC decided to forgo its pursuit of federal financing (through WIFA) due to lengthy and costly matters associated with NEPA compliance. See Tab 2 for additional ACC background.

In addition to delays incurred at the ACC, Ms. Patricia Olsen (owner of MRWC) has been the victim of harassment and abuse of process resulting from the actions of certain private individuals. Specifically, Ms. Olsen had to seek injunctive relief from harassment by a disgruntled property owner (Mr. John Dougherty) and a criminal complaint is pending against another property owner (Mr. Ivo Budduke) relative to alleged weapons misconduct during a confrontation with MRWC construction crews. Both Mr. Dougherty and Mr. Budduke are not customers of MRWC. It was Mr. Dougherty who interfered with MRWC's proposed WIFA financing alleging environmental harm and causing WIFA to revoke a prior approved categorical exclusion from NEPA compliance. Then, Mr. Dougherty filed suit in Yavapai County seeking to overturn a conditional use approval MRWC obtained for the placement of its new well #4 (integral to the arsenic system) on certain real property. If that weren't enough, Mr. Dougherty has intervened in every MRWC ACC proceeding related to financing and/or approval of the new arsenic treatment system for the purpose of filing extensive and disruptive data requests which appear to have been designed to slow and/or derail needed agency approvals. Copies of these data requests and proceedings are readily available on ACC's e-docket for ADEQ's verification. Excerpts from the ACC docket verifying this circumstance are attached as Tab 3.

Mr. Dougherty's actions have cost MRWC time and money it does not have. His actions have been well documented in the press and recorded in ACC testimony. See Tab 4. Mr. Dougherty has also attempted to interfere with MRWC's progress at ADEQ by constantly seeking inside access to information regarding the negotiations on the Consent Order through his association with an ADEQ employee (Mr. Mark Shaffer). MRWC has actually obtained electronic correspondence (via proper public records requests) between Mr. Shaffer and Mr. Dougherty wherein Mr. Shaffer wishes Mr. Dougherty "good luck" (in Spanish) relative to Mr. Dougherty's lawsuit in Yavapai County. Ms. Olsen has put ADEQ on notice of these improper communications and breach of public records procedures but, to date, no explanation or response by ADEQ has been provided. See Tab 5.

In addition to these external forces, MRWC experienced delays related to vendor selection for the delivery and construction of the treatment system. In October 2011, MRWC notified ADEQ that it had selected GEcom (Wayne Selness – proprietor) to construct its system. ADEQ expressed reservations about utilizing GE Com and as a result MRWC elected to visit various sites that had purchased GEcom systems. Ms. Olsen then determined for herself that ADEQ's concerns were well founded as many of the systems were either not constructed well or not operating properly. In March 2012, MRWC made a decision to change vendors to Kevlor, which was a reasonable decision that the agency should fully support. Making this decision had certain consequences including having to reapply for financing and accept Kevlor's scheduling limitations which prevented construction from being completed before the deadline of the Consent Order. Again, ADEQ and ACC was informed every step of the way regarding these decisions and related consequences.

Notwithstanding all these challenges, construction of MRWC's arsenic treatment system was completed on July 6, 2012. MRWC has now obtained a certificate of approval of construction (AOC) from ADEQ on the Arsenic Treatment System. However, at this time, ADEQ has not provided MRWC with a certificate of approval of construction for the new well #4. By letter dated August 29, 2012 ADEQ notified MRWC of certain administrative deficiencies requiring attention before ADEQ could issue the AOC. MRWC as of this date has met and provided responses to the deficiencies and as of this date all the deficiencies have been met regarding well #4.

MRWC has done everything in its power, despite innumerable hurdles and extremely limited financial resources, to timely comply with ADEQ, ACC and Yavapai County. Ms. Olsen has been in constant contact with ADEQ regarding her progress, has timely requested extensions when she knew they were needed and worked very hard to address deficiencies when they were presented.

In summary, MRWC respectfully asks that ACC consider and grant an extension of one year for the Approval of Construction requirement for well #4.

Patricia D. Olsen

Tab 1



P.O. Box 10
Rimrock, AZ 86335
928-592-9211

March 24, 2011

Marcia Colquitt
Drinking Water Compliance
Arizona Department of Environmental Quality
1100 W. Washington
Phoenix, AZ 85007

RE: Consent Order #DW-36-10

Montezuma Rimrock Water Company LLC (MRWC) is requesting a 10 month extension to comply with the Consent Order #DW-36-10 effective June 7, 2010.

MRWC was seeking project funding for its Arsenic Treatment Facility (ATF) through a WIFA low-interest loan. Due to a citizen complaint, WIFA was required to investigate the conditions regarding the WIFA funding (see attached Status Report from Arizona Corporation Commission dated February 10, 2011). MRWC was therefore required to produce an EID presenting pertinent environmental information for review by WIFA. MRWC provided WIFA with a copy of the EID on September 9, 2010. On November 22, 2010, WIFA notified MRWC that EIS would be required for the ATF project to receive WIFA funding.

WIFA has stated that an EIS would be a much more difficult and costly process than the EID which was previously prepared (see attached Status Report from Arizona Corporation Commission dated February 10, 2011).

The service area for MRWC includes some 220 modest 2 and 3 bedroom residential homes having an average daily water demand of 200 gallons. The subdivision was platted in the 1970s. The water supply is currently pumped from a single well. Integral to the arsenic treatment plant upgrade is putting a newly drilled well online as a second local water source. This is normal and prudent to public water system design. The second well has been purported to be a new threat to local water resources. This is simply unfounded. The groundwater demand of the system is unchanged as a result of the project. The new MRWC well will not have any more impact on groundwater use than the existing well in the MRWC system, and the demand posed by these 200+ homes will not magically go away. Further, the location of the new well is farther away from the Montezuma Well waterbody than the current operating and existing MRWC well, and in fact, another public supply well with a much higher demand is located closer to this natural resource. As misguided and disappointing as it is, WIFA has made this decision to require a NEPA (EIS) analysis. The cost to perform this exercise alone exceeds the cost of the entire project. The

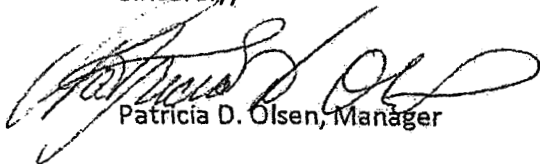
customers of MRWC cannot bear the cost of an additional \$100,000+, nor should they have to wait an additional 18-24 months for the NEPA process to run its course. Therefore, funding the project through WIFA has become cost and time prohibitive.

On January 24, 2011, MRWC formally requested an amendment to Decision No. 71317 from the Arizona Corporation Commission to seek private funding. MRWC is currently awaiting a response from the Commission. In these economic times commercial loans are much more difficult to secure. MRWC is diligently pursuing all viable avenues to bring the project to fruition as soon as possible, and requests ADEQ understand these circumstances are beyond the control of MRWC, and allow an extension of 10 months.

Although MRWC has not yet secured funding, MRWC is moving forward and projects construction of its Arsenic Treatment Facility will commence on May 16, 2011. MRWC must rebid all aspects of the project due to the lapse of time. MRWC must also state that although it must procure the arsenic treatment system, the manufacturer requires three months for construction and delivery.

As stated in the Status Report on MRWC prepared by the Arizona Corporation Commission, "Staff concluded that the Company is seriously attempting to full fill its arsenic treatment mandate to comply with ADEQ and the Commission..."

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia D. Olsen", is written over the typed name.

Patricia D. Olsen, Manager

Enclosure

Tab 2

MEMORANDUM

TO: Docket Control Center

THRU: Steven M. Olea
Director
Utilities Division

DATE: February 10, 2011

RE: STATUS REPORT ON MONTEZUMA RIMROCK WATER CO., LLC (DOCKET NOS. W-04254A-08-0361 AND W-04254A-08-0362)

Purpose

On December 11, 2009, Montezuma Rimrock filed for an extension of time until June 30, 2010, for the provision of the Well #4 Approval of Construction ("AOC"). The Company identified that the rationale behind the request was found in the processing of the item at the ADEQ as ADEQ had informed MRWC that "an AOC will not be granted until the installation of the Arsenic Treatment System is complete". This prevented the Company from obtaining the Well #4 AOC prior to the original December 31, 2009 due date. The purpose of this memorandum is to provide the Commission with updated information.

Background

In Decision No. 71317, dated October 30, 2009, the Commission approved the application of Montezuma Rimrock for approval of a rate increase and financing. As part of Decision No. 71317, the Commission ordered the following:

"...Montezuma Rimrock Water Company, LLC shall file with Docket Control, as a compliance item in this Docket, by December 31, 2009 a copy of the Arizona Department of Environmental Quality Certificate of Approval of Construction for the new Well #4."

Staff confirmed with ADEQ that approval of the Arsenic Treatment System was a prerequisite to receipt of an AOC for Well # 4. Staff further found that the water quality of Well #4 did not meet drinking water standards and would not meet such standards without the installation of an arsenic treatment system. Therefore, Staff did not object to Montezuma Rimrock's request for an extension of time until June 30, 2010 to provide the AOC related to Well #4.

ROO / Open Meeting

On February 11, 2010, the Hearing Division issued a Recommended Opinion and Order which approved Montezuma Rimrock's request for extension of time until June 30, 2010, for provision of the ADEQ AOC. However, at the March 2, 2010 Open Meeting, the discussion centered on a citizen complaint over an environmental concern which had not arisen during the original Water Infrastructure Finance Authority ("WIFA") loan application review.

The citizen complaint alleged that the distance between a Company well (Well #4) and the Montezuma National Park Monument was sufficiently short as to constitute an "environmental" issue. This monument is a part of, and is encompassed by, Montezuma National Park which is within the United States National Park Service. The fact that the complaint was filed lead to the question of whether a Categorical Exemption ("CE") was warranted for the Montezuma arsenic treatment project.

A CE is an identified type of action or project which does not now, or over time, have a significant effect on the quality of the human environment. It involves the review and analysis of Company supplied environmental information and culminates in an administrative stamp or condition stating that the scope of a project is so minor that it has been categorized as a project that does not need a full environmental review.

WIFA / NEPA

As a State agency authorized to dispense federal funds, WIFA is responsible for meeting requirements of the National Environmental Policy ACT ("NEPA"). For detail on NEPA, the United States Environmental Protection Agency's ("US EPA") website provides the following:

"NEPA requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions."

"To meet NEPA requirements federal agencies prepare a detailed statement known as an Environmental Impact Statement ("EIS"). EPA reviews and comments on EIS's prepared by other federal agencies, maintains a national filing system for all EIS's, and assures that its own actions comply with NEPA"

In WIFA's case, a categorical exemption was originally granted to the Montezuma Rimrock arsenic treatment project based on information provided by the Company. Without a CE, WIFA would likely be required to conduct additional environmental research on the Montezuma project in order to comply with NEPA standards. Such further research could lead to WIFA determining that a Finding of No Significant Impact ("FONSI") is warranted or, more stringently, that a full bore environmental review is necessary. A full review would lead to the issuance of the more detailed and formal Environmental Impact Statement ("EIS").

WIFA Action

The customer complaint highlighted the question of whether the CE was appropriately granted to Montezuma Rimrock. Indeed, on February 3, 2010, Ms. Sara Konrad, an Environmental Program Specialist at WIFA, sent an e-mail to Ms. Patsy Olsen of the Company stating that:

"the Categorical Exemption previously issued for this project may not have been warranted as WIFA has recently received information that the project does not qualify under one or more of the categories in R18-15-107 (B)."

"WIFA must further verify conditions surrounding this project. To do so, you will need to prepare an Environmental Information Document (EID)."

"If it so happens that these issues are not significant, then WIFA can, upon receipt of the EID, issue a Finding of No Significant Impact (FONSI). At that point, WIFA will publicly notice the FONSI for a period of 30 calendar days and receive and review any comments. If these issues are significant, then an Environmental Impact Statement will be required, and WIFA will contact you about proceeding with that process."

Montezuma Rimrock was therefore required to produce an EID presenting pertinent environmental information for review by WIFA or its designee.

The EID

On September 9, 2010, Montezuma Rimrock provided Staff a copy of the EID prepared by the Company. Ms. Konrad of WIFA stated that the analysis and review of the EID would be completed and WIFA would then present its findings. The EID was therefore provided to WIFA's consultant, AZTEC Engineering, for its engineering and technical review. The Environmental Protection Agency ("EPA") was also reviewing the document.

On November 18, 2010, AZTEC Engineering provided WIFA with its "Environmental Review and Recommendations" on the EID and ultimately recommended that "WIFA consider completing an Environmental Impact Statement" ("EIS"). The Environmental Protection Agency ("EPA") made the same recommendation to WIFA.

The EIS

WIFA elected to accept and implement the recommendation of Aztec Engineering and the EPA to require a full bore environmental review relating to Montezuma Rimrock. As such, on November 22, 2010, WIFA notified the Company that, as a result of its investigation, "an Environmental Impact Statement (EIS) will be required for this project to receive WIFA funding."

When Staff inquired, Ms. Konrad stated that the EIS process would be a much more difficult and costly one than the more simplistic EID which the Company has already prepared. It is possible that the EIS process could more than double the cost of the loan and take many months to reach a conclusion.

Montezuma Rimrock now has a decision on whether to continue pursuing the pending WIFA loan. Given the anticipated depth and cost of the EIS process, it is expected that the Company will decide that continued participation in the process is not viable for a company its size. That decision had been expected relatively soon. WIFA's November 22, 2010, letter gave Montezuma Rimrock until December 31, 2010, to notify the agency if the Company would continue to pursue WIFA funding for the arsenic project. However, in a January 5, 2011 discussion with WIFA, Ms. Sara Konrad stated that Montezuma Rimrock requested and received an extension until

January 31, 2011, to communicate its intention to pursue the WIFA funding. Further, as this is the first time WIFA has ever required an EIS, it is difficult to predict how the process would unfold if the Company elects to continue to pursue the WIFA loan.

Company Performance

On December 16, 2010, Staff contacted both WIFA and ADEQ to inquire about Montezuma's requirements and level of cooperation with those agencies.

Ms. Konrad stated that the Company had been cooperative in its dealings with WIFA. Ms. Vivian Burns at ADEQ stated that the Company had cooperated 100 percent with that agency and was now providing drinking water from a reverse osmosis system in the Company's offices.

Further, Montezuma Rimrock is not currently out of compliance with ADEQ regarding the installation of the arsenic treatment system as the June 7, 2010, consent order provides the Company with one year to complete the construction of the arsenic treatment system and submit the application for AOC. Montezuma therefore may not be out of compliance in that regard until June 7, 2011.

Company Intention

Finally, the Company has had several discussions with Staff in which it inquired about its remaining options. Staff told the Company it could either continue to pursue the WIFA loan by participating in the EIS or seek to modify the decision that ordered the loan through WIFA.

As the Company demonstrated an interest in modifying the decision to take the loan from another entity, Staff advised the Company of its option to file requesting an A.R.S. §40-252 to modify the existing decision. The Company subsequently indicated to Staff its intent to request an amendment to Decision No. 71317 which would seek approval to utilize another lender. As shown below, Decision No. 71317 currently provides that the loan be taken only from WIFA:

"It is further ordered that Montezuma Rimrock Water Company, LLC is hereby authorized to incur long-term debt in the form of a Water Infrastructure Finance Authority of Arizona loan in an amount up to \$165,000, with a term of 20 years and on such terms and interest rates as are prevailing at the time the Water Infrastructure Finance Authority approves the loan."

Summary

As discussed at Open Meeting, the Commission ordered the provision of AOC's on the arsenic treatment and Well #4 construction projects. Given the overall cooperation of Montezuma Rimrock with State agencies, Staff concludes that the Company is seriously attempting to fulfill its arsenic treatment mandate to comply with ADEQ and the Commission, therefore, Staff is not recommending any action at this time. The Company is demonstrating a good faith effort and has been notified by Staff of its option to pursue an amendment to the Commission decision. An

Docket Control Center
February 10, 2011
Page 5

amendment could allow the Company to obtain the loan from an entity other than WIFA, which may negate the need for an EIS thereby providing substantial savings for ratepayers.

On January 24, 2011, the Company made a formal filing, per A.R.S. §40-252, requesting that Decision No. 71317 be amended to allow the Company to seek the funding from a private financial institution. This request is currently pending possible Commission action.

SMO: BKB:lm

Originator: Brian K. Bozzo

Tab 3

Docket

Documents

Decisions

Case Schedule

Staff Assigned

Service List

Linked Dockets

Back

Subscribe:**Docket Number:**

W-04254A-08-0361

Company Name:

Montezuma Rimrock Water Company LLC

DBA Name:**Docket Type:**

Water

Case Type:

Rates

Current Status:

Open

Filed Date:

7/16/2008

Year:

2008

Matter Number:

0361

Description:

In the matter of the application of Montezuma Rimrock Water Company LLC for approval of a rate increase.

**Special
Instructions:**

Per Procedural Order dated 2/4/2008, W-04254A-08-0361 and W-04254A-08-0362 are CONSOLIDATED

Cancel

Full Text Document Search

Arizona Corporation Commission

Document List Report

W-04254A-08-0361

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
7/16/2008	01R	Montezuma
Application - Rates		
Barcode: 0000086832		Microfilm: 88-0001.0547.0000
8/5/2008	47CO	Peter Klein
Consumer Comments - In Opposition		
Barcode: 0000087340		Microfilm: 89-0001.0278.0000
8/14/2008	06D	Elijah Abinah, Assistant Director - Utilities Division
Correspondence - Deficiency Letter/Insufficiency Letter		
Barcode: 0000087678		Microfilm: 89-0001.0643.0000
8/29/2008	57	Montezuma Rimrock Water Co., Inc.
Notice of Filing - Miscellaneous		
Barcode: 0000088326		Microfilm: 90-0001.0097.0000
9/29/2008	06D	Elijah Abinah, Assistant Director - Utilities Division
Correspondence - Deficiency Letter/Insufficiency Letter		
Barcode: 0000088990		Microfilm: 91-0001.0085.0000
12/4/2008	57	Montezuma Rimrock Water Company LLC
Notice of Filing - Miscellaneous		
Barcode: 0000091492		Microfilm: 94-0001.0197.0000
12/30/2008	57	Montezuma Rimrock Water Company
Notice of Filing - Miscellaneous		
Barcode: 0000093018		Microfilm: 95-0001.0213.0000
1/20/2009	06S	Elijah Abinah, Assistant Director - Utilities Division
Correspondence - Sufficiency Letter		
Barcode: 0000092507		Microfilm: 96-0001.0279.0000
1/23/2009	25	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Miscellaneous		
Barcode: 0000092565		Microfilm: 96-0001.0340.0000
1/26/2009		Nancy Scott, Atty. - Legal Division, A.C.C.
Staff's Motions/Requests		
Barcode: 0000093104		Microfilm: 96-0001.0403.0000
2/4/2009	25C	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Consolidates cases		
Barcode: 0000093313		Microfilm: 96-0001.0712.0000
2/4/2009	25C	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Consolidates cases		

Arizona Corporation Commission

Document List Report

W-04254A-08-0361

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
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Barcode: 0000093315		Microfilm: 96-0001.0710.0000
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6/15/2009	30	Ernest G. Johnson, Director Utilities Division, A.C.C.
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Staff Report

Barcode: 0000099366		Microfilm: 105-0001.0519.0000
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8/13/2009	25FD	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
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Procedural Order - Set Miscellaneous Filing Dates

Barcode: 0000097793		Microfilm: 108-0001.0145.0000
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8/27/2009	04PN	Patricia D. Olsen, Manager
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Affidavit/Certification - Customer/Public Notice

Barcode: 0000102034		Microfilm: 108-0001.0676.0000
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9/10/2009	06	Patricia D. Olsen, Manager
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Correspondence - Miscellaneous

Barcode: 0000102613		Microfilm: 109-0001.0304.0000
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10/1/2009		Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
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Recommended Order from the Hearing Division

Barcode: 0000098174		Microfilm: 111-0001.0156.0000
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10/30/2009		A.C.C. (#71317)
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Decision

Barcode: 0000104652		Microfilm: 113-0001.0040.0000
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11/3/2009	50	Montezuma Rimrock Water Company LLC
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Compliance to a Decision

Barcode: 0000104528		Microfilm: 113-0001.0132.0000
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11/10/2009	47CO	Judy Cooper - Consumer
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Consumer Comments - In Opposition

Barcode: 0000104852		Microfilm: 113-0001.0447.0000
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11/24/2009	50	Montezuma Rimrock Water Company LLC
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Compliance to a Decision

Barcode: 0000105344		Microfilm: 114-0001.0536.0000
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12/11/2009	50	Patricia D. Olsen, Manager
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Compliance to a Decision

Barcode: 0000106039		Microfilm: 116-0001.0143.0000
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12/28/2009	08P	Tanya D. Pitre, Administrative Assistant II - Utilities Division
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Memo of Partial Compliance

Barcode: 0000107449		Microfilm: 116-0001.0692.0000
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2/3/2010		Steve Olea, Director - Utilities Division, A.C.C.
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Arizona Corporation Commission Document List Report

W-04254A-08-0361

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
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Staff's Comments

Barcode: 0000107101

Microfilm: 119-0001.0295.0000

2/11/2010 22 Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Recommended Opinion & Order from the Hearing Division

Barcode: 0000103424

Microfilm: 119-0001.0529.0000

2/19/2010 12RO John E. Dougherty III - Consumer

Exception(s) - Response to Recommended Order

Barcode: 0000107907

Microfilm: 120-0001.0193.0000

2/26/2010 06 Steve Olea, Director - Utilities Division, A.C.C.

Correspondence - Miscellaneous

Barcode: 0000108078

Microfilm: 120-0001.0394.0000

4/5/2010 57 Patricia D. Olsen, Manager

Notice of Filing - Miscellaneous

Barcode: 0000109754

Microfilm: 124-0001.0017.0000

4/13/2010 57 Howard M. Shanker, Atty.

Notice of Filing - Miscellaneous

Barcode: 0000110093

Microfilm: 124-0001.0451.0000

10/1/2010 57 Robin G. Weesner, R.G.

Notice of Filing - Miscellaneous

Barcode: 0000118555

Microfilm: 135-0001.0010.0000

10/7/2010 06 Anna Barbara Brunner

Correspondence - Miscellaneous

Barcode: 0000118668

Microfilm: 135-0001.0205.0000

10/7/2010 43 Natalie Valenzuela

Petition

Barcode: 0000118669

Microfilm: 135-0001.0206.0000

1/24/2011 19AD Patricia D. Olsen

Motion/Request to Modify/Amend a Decision

Barcode: 0000122183

Microfilm: 141-0001.0711.0000

2/10/2011 Steven M. Olea, Director - Utilities Division, A.C.C.

Staff's Responses

Barcode: 0000123009

Microfilm: 142-0001.0206.0000

3/14/2011 06 John Dougherty

Correspondence - Miscellaneous

Barcode: 0000123680

Microfilm: 143-0001.0563.0000

Arizona Corporation Commission Document List Report

W-04254A-08-0361

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
4/7/2011	19	John Dougherty
Motion/Request - Miscellaneous		
Barcode: 0000124398 Microfilm: 144-0001.0205.0000		
4/22/2011		Craig Randall
Consumer Letters (Support)		
Barcode: 0000124757 Microfilm: 144-0001.0585.0000		
4/25/2011		Robert Estrada ; Sharon Howard
Consumer Letters (Support)		
Barcode: 0000124795 Microfilm: 144-0001.0635.0000		
4/26/2011		Monte Voepel
Consumer Letters (Support)		
Barcode: 0000124821 Microfilm: 144-0001.0666.0000		
4/26/2011		Paul Robinson
Consumer Letters (Support)		
Barcode: 0000124823 Microfilm: 144-0001.0668.0000		
4/27/2011	06	John Dougherty
Correspondence - Miscellaneous		
Barcode: 0000124839 Microfilm: 144-0001.0689.0000		
4/28/2011	25SP	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Sets a Procedural Schedule/Conference		
Barcode: 0000124866 Microfilm: 144-0001.0723.0000		
5/10/2011	28	Patricia Olseon
Response		
Barcode: 0000125151 Microfilm: 145-0001.0064.0000		
5/11/2011		Rosemary Barns
Consumer Letters (Support)		
Barcode: 0000125171 Microfilm: 145-0001.0074.0000		
5/16/2011	25FD	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Set Miscellaneous Filing Dates		
Barcode: 0000125274 Microfilm: 145-0001.0208.0000		
5/31/2011	31	Arizona Reporting Service, Inc. - Court Reporters
Transcript		
Barcode: 0000125535 Microfilm: 146-0001.0041.0000		
6/9/2011	18	John E. Dougherty
Application / Motion to Intervene		

Arizona Corporation Commission

Document List Report

W-04254A-08-0361

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By	
Barcode: 0000126238			Microfilm: 146-0001.0323.0000
6/14/2011	39E	John E. Dougherty	
	Miscellaneous - Notice of Errata		
Barcode: 0000126355			Microfilm: 146-0001.0477.0000
6/15/2011	06	Karlene Voepel	
	Correspondence - Miscellaneous		
Barcode: 0000126400			Microfilm: 146-0001.0519.0000
6/15/2011	06	Lori Marie Barlow	
	Correspondence - Miscellaneous		
Barcode: 0000126401			Microfilm: 146-0001.0520.0000
6/29/2011	25SP	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.	
	Procedural Order - Sets a Procedural Schedule/Conference		
Barcode: 0000126696			Microfilm: 147-0001.0414.0000
7/20/2011	19	John E. Dougherty	
	Motion/Request - Miscellaneous		
Barcode: 0000127650			Microfilm: 147-0001.1057.0000
7/21/2011	52	Douglas C. Fitzpatrick	
	Notice of Appearance		
Barcode: 0000127698			Microfilm: 148-0001.0012.0000
7/22/2011	20	Paul Newman, Commissioner - A.C.C.	
	Memorandum		
Barcode: 0000127745			Microfilm: 148-0001.0076.0000
7/25/2011	57	Charles Hains, Atty. - Legal Division, A.C.C.	
	Notice of Filing - Miscellaneous		
Barcode: 0000127764			Microfilm: 148-0001.0091.0000
7/25/2011	57	Patricia D. Olsen	
	Notice of Filing - Miscellaneous		
Barcode: 0000127774			Microfilm: 148-0001.0101.0000
7/25/2011	25FD	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.	
	Procedural Order - Set Miscellaneous Filing Dates		
Barcode: 0000127775			Microfilm: 148-0001.0102.0000
8/8/2011	31	Arizona Reporting Service, Inc. - Court Reporters	
	Transcript		
Barcode: 0000128123			Microfilm: 148-0001.0573.0000
8/23/2011	19	John E. Dougherty	

Arizona Corporation Commission

Document List Report

W-04254A-08-0361

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
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Motion/Request - Miscellaneous

Barcode: 0000128527

Microfilm: 149-0001.0442.0000

8/24/2011 25

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Miscellaneous

Barcode: 0000128574

Microfilm: 149-0001.0511.0000

8/30/2011 19

John E. Dougherty

Motion/Request - Miscellaneous

Barcode: 0000129174

Microfilm: 150-0001.0048.0000

8/31/2011 25SP

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Sets a Procedural Schedule/Conference

Barcode: 0000129221

Microfilm: 150-0001.0113.0000

9/14/2011 25DM

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Denies a Miscellaneous Motion/Request

Barcode: 0000129590

Microfilm: 150-0001.0544.0000

9/19/2011 06

Kathy M. Davis

Correspondence - Miscellaneous

Barcode: 0000129812

Microfilm: 150-0001.0784.0000

9/19/2011 28PO

Douglas C. Fitzpatrick

Response/Reply to a Procedural Order

Barcode: 0000129815

Microfilm: 150-0001.0797.0000

9/26/2011 31

Arizona Reporting Service, Inc. - Court Reporters

Transcript

Barcode: 0000130027

Microfilm: 150-0001.1043.0000

9/29/2011 19

John E. Dougherty

Motion/Request - Miscellaneous

Barcode: 0000130149

Microfilm: 150-0001.1319.0000

10/4/2011 25FD

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Set Miscellaneous Filing Dates

Barcode: 0000130266

Microfilm:

10/6/2011

Douglas C. Fitzpatrick

Response to Motion

Barcode: 0000130333

Microfilm: 151-0001.0099.0000

10/12/2011 57

Douglas C. Fitzpatrick

Notice of Filing - Miscellaneous

Barcode: 0000130441

Microfilm: 151-0001.0235.0000

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Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
10/18/2011	19	John E. Dougherty
Motion/Request - Miscellaneous		
Barcode: 0000130550		Microfilm: 151-0001.0385.0000
10/25/2011	57	Douglas C. Fitzpatrick, Atty.
Notice of Filing - Miscellaneous		
Barcode: 0000130678		Microfilm: 151-0001.0599.0000
10/25/2011	19	Douglas C. Fitzpatrick, Atty.
Motion/Request - Miscellaneous		
Barcode: 0000130679		Microfilm: 151-0001.0600.0000
10/25/2011	57	Douglas C. Fitzpatrick, Atty.
Notice of Filing - Miscellaneous		
Barcode: 0000130680		Microfilm: 151-0001.0601.0000
10/28/2011	19	John E. Dougherty
Motion/Request - Miscellaneous		
Barcode: 0000130793		Microfilm: 151-0001.0726.0000
10/28/2011	19	John E. Dougherty
Motion/Request - Miscellaneous		
Barcode: 0000130794		Microfilm: 151-0001.0727.0000
10/28/2011	57	John E. Dougherty
Notice of Filing - Miscellaneous		
Barcode: 0000130795		Microfilm: 151-0001.0728.0000
10/28/2011	57	John E. Dougherty
Notice of Filing - Miscellaneous		
Barcode: 0000130796		Microfilm: 151-0001.0729.0000
10/28/2011	19	John E. Dougherty
Motion/Request - Miscellaneous		
Barcode: 0000130797		Microfilm: 151-0001.0730.0000
10/31/2011	28PO	Charles Hains, Atty. - Legal Division, A.C.C.
Response/Reply to a Procedural Order		
Barcode: 0000130820		Microfilm: 151-0001.0798.0000
11/2/2011		Douglas C. Fitzpatrick
Response to Motion		
Barcode: 0000130875		Microfilm: 152-0001.0002.0000
11/2/2011	28	Douglas C. Fitzpatrick
Response		

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Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By	
Barcode: 0000130879			Microfilm: 152-0001.0006.0000
11/2/2011	19	John E. Dougherty	
	Motion/Request - Miscellaneous		
Barcode: 0000130940			Microfilm: 152-0001.0057.0000
11/2/2011	19	John E. Dougherty	
	Motion/Request - Miscellaneous		
Barcode: 0000130941			Microfilm: 152-0001.0058.0000
11/4/2011		John E. Dougherty	
	Response to Motion		
Barcode: 0000130954			Microfilm: 152-0001.0077.0000
11/7/2011		Charles Hains, Atty. - Legal Division, A.C.C.	
	Response to Motion		
Barcode: 0000130989			Microfilm: 152-0001.0169.0000
11/7/2011	19	John E. Dougherty	
	Motion/Request - Miscellaneous		
Barcode: 0000131013			Microfilm: 152-0001.0193.0000
11/9/2011		Charles Hains, Atty. - Legal Division, A.C.C.	
	Response to Motion		
Barcode: 0000131623			Microfilm: 152-0001.0244.0000
11/9/2011	25FD	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.	
	Procedural Order - Set Miscellaneous Filing Dates		
Barcode: 0000131635			Microfilm: 152-0001.0254.0000
12/5/2011	06	Kathy M. Davis, Superintendent	
	Correspondence - Miscellaneous		
Barcode: 0000132622			Microfilm: 153-0001.0079.0000
12/7/2011	28PO	Douglas C. Fitzpatrick, Atty.	
	Response/Reply to a Procedural Order		
Barcode: 0000132683			Microfilm: 153-0001.0149.0000
12/14/2011	19	John E. Dougherty	
	Motion/Request - Miscellaneous		
Barcode: 0000132921			Microfilm: 153-0001.0505.0000
12/22/2011	43	John E. Dougherty	
	Petition		
Barcode: 0000133068			Microfilm: 153-0001.0725.0000
1/4/2012	25SP	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.	

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Montezuma Rimrock Water Company LLC

Filed Date Document Type Filed By

Procedural Order - Sets a Procedural Schedule/Conference

Barcode: 0000133239

Microfilm: 155-0001.0033.0000

1/6/2012

19

Douglas C. Fitzpatrick

Motion/Request - Miscellaneous

Barcode: 0000133289

Microfilm: 155-0001.0112.0000

1/6/2012

19

Patricia D. Olsen

Motion/Request - Miscellaneous

Barcode: 0000133300

Microfilm: 155-0001.0123.0000

1/11/2012

25DM

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Denies a Miscellaneous Motion/Request

Barcode: 0000133385

Microfilm: 155-0001.0236.0000

2/21/2012

57

No Signature

Notice of Filing - Miscellaneous

Barcode: 0000134382

Microfilm: 157-0001.0374.0000

3/9/2012

55AC

Todd C. Wiley, Atty.

Assigned Attorney(s) Change

Barcode: 0000135050

Microfilm: 158-0001.0624.0000

3/12/2012

25SP

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Sets a Procedural Schedule/Conference

Barcode: 0000135087

Microfilm: 158-0001.0672.0000

3/13/2012

19

John E. Dougherty

Motion/Request - Miscellaneous

Barcode: 0000135137

Microfilm: 158-0001.0726.0000

3/14/2012

19W

Douglas C. Fitzpatrick

Motion/Request to Withdraw an Application/Filings

Barcode: 0000135150

Microfilm: 158-0001.0739.0000

3/19/2012

57

Patricia Olsen

Notice of Filing - Miscellaneous

Barcode: 0000135268

Microfilm: 158-0001.0856.0000

3/20/2012

Todd C. Wiley, Atty.

Response to Motion

Barcode: 0000135290

Microfilm: 158-0001.0879.0000

3/21/2012

John E. Dougherty

Response to Motion

Barcode: 0000135307

Microfilm: 158-0001.0899.0000

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Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
3/21/2012	28	John E. Dougherty
Response		
Barcode: 0000135308		Microfilm: 158-0001.0900.0000
4/6/2012	19HC	John E. Dougherty
Motion/Request to Continue a Hearing		
Barcode: 0000135706		Microfilm: 159-0001.0228.0000
4/9/2012	25SP	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Sets a Procedural Schedule/Conference		
Barcode: 0000135732		Microfilm: 159-0001.0266.0000
4/13/2012	28PO	Todd C. Wiley, Atty.
Response/Reply to a Procedural Order		
Barcode: 0000135885		Microfilm: 159-0001.0417.0000
4/20/2012	19	John E. Dougherty
Motion/Request - Miscellaneous		
Barcode: 0000132385		Microfilm: 159-0001.0573.0000
4/27/2012	28PO	Charles Hains, Atty. - Legal Division, A.C.C.
Response/Reply to a Procedural Order		
Barcode: 0000136176		Microfilm: 159-0001.0772.0000
4/27/2012		Todd C. Wiley, Atty.
Brief		
Barcode: 0000136180		Microfilm: 159-0001.0777.0000
4/27/2012	28PO	John E. Dougherty
Response/Reply to a Procedural Order		
Barcode: 0000136183		Microfilm: 159-0001.0781.0000
5/14/2012	31	Arizona Reporting Service, Inc. - Court Reporters
Transcript		
Barcode: 0000136828		Microfilm: 160-0001.0408.0000
5/16/2012	19	John E. Dougherty
Motion/Request - Miscellaneous		
Barcode: 0000136898		Microfilm: 160-0001.0478.0000
5/25/2012	57	John E. Dougherty
Notice of Filing - Miscellaneous		
Barcode: 0000137046		Microfilm: 160-0001.0662.0000

Docket

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Linked Dockets

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Subscribe:



Docket Number:

W-04254A-11-0296

Company Name:

Montezuma Rimrock Water Company LLC

DBA Name:

Docket Type:

Water

Case Type:

Rates

Current Status:

Closed

Filed Date:

7/25/2011

Year:

2011

Matter Number:

0296

Description:

In the matter of the application of Montezuma Rimrock Water Company LLC for approval of an emergency rate increase.

Special
Instructions:

Cancel

Full Text Document Search

Arizona Corporation Commission Document List Report

W-04254A-11-0296

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
7/25/2011	01R	Patricia Olsen
Application - Rates		
Barcode: 0000128596		Microfilm: 148-0001.0136.0000
8/1/2011	25SP	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Sets a Procedural Schedule/Conference		
Barcode: 0000127953		Microfilm: 148-0001.0337.0000
8/2/2011	18	John E. Dougherty
Application / Motion to Intervene		
Barcode: 0000127973		Microfilm: 148-0001.0356.0000
8/3/2011	25	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Miscellaneous		
Barcode: 0000128022		Microfilm: 148-0001.0423.0000
8/10/2011	57	Lori Marie Barlow
Notice of Filing - Miscellaneous		
Barcode: 0000128234		Microfilm: 148-0001.0726.0000
8/12/2011	25H	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Sets a Hearing		
Barcode: 0000128283		Microfilm: 149-0001.0052.0000
8/15/2011	06	Don and Rose Mary Barnes - Consumer
Correspondence - Miscellaneous		
Barcode: 0000128322		Microfilm: 149-0001.0132.0000
8/16/2011	06	Robin G. Weesner - Consumer
Correspondence - Miscellaneous		
Barcode: 0000128321		Microfilm: 149-0001.0131.0000
8/22/2011	51G	Arizona Reporting Service, Inc. - Court Reporters
Return Receipt/Green Card		
Barcode: 0000128455		Microfilm: 149-0001.0368.0000
8/23/2011	51G	Douglas Fitzpatrick
Return Receipt/Green Card		
Barcode: 0000128518		Microfilm: 149-0001.0445.0000
8/23/2011	51R	Montezuma Rimrock Water Company LLC
Returned Certified Mail		
Barcode: 0000128522		Microfilm: 149-0001.0448.0000
8/24/2011	04M	Patricia D. Olsen
Affidavit/Certification - Mailing		

Arizona Corporation Commission

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W-04254A-11-0296

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
Barcode: 0000128576		Microfilm: 149-0001.0513.0000
8/25/2011	31	Arizona Reporting Service, Inc. - Court Reporters
Transcript		
Barcode: 0000129056		Microfilm: 149-0001.0572.0000
8/30/2011	19	John E. Dougherty
Motion/Request - Miscellaneous		
Barcode: 0000129173		Microfilm: 150-0001.0047.0000
8/31/2011	19	Douglas C. Fitzpatrick
Motion/Request - Miscellaneous		
Barcode: 0000129177		Microfilm: 150-0001.0051.0000
8/31/2011	57	Douglas C. Fitzpatrick
Notice of Filing - Miscellaneous		
Barcode: 0000129178		Microfilm: 150-0001.0052.0000
8/31/2011	25SP	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Sets a Procedural Schedule/Conference		
Barcode: 0000129222		Microfilm: 150-0001.0114.0000
9/1/2011	47CO	Barbara Kugel
Consumer Comments - In Opposition		
Barcode: 0000129272		Microfilm: 150-0001.0146.0000
9/6/2011		John E. Dougherty
Response to Motion		
Barcode: 0000129357		Microfilm: 150-0001.0242.0000
9/8/2011		Monte & Karlene Voepel
Consumer Letters (Support)		
Barcode: 0000129414		Microfilm: 150-0001.0305.0000
9/12/2011	30	Steven M. Olea, Director - Utilities Division, A.C.C.
Staff Report		
Barcode: 0000129489		Microfilm: 150-0001.0420.0000
9/12/2011	47CO	Ronnie Garcia
Consumer Comments - In Opposition		
Barcode: 0000129493		Microfilm: 150-0001.0424.0000
9/14/2011	25GM	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Grants a Miscellaneous Motion/Request		
Barcode: 0000129585		Microfilm: 150-0001.0541.0000
9/16/2011	06	Owen L. Cotton

Arizona Corporation Commission

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Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
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Correspondence - Miscellaneous

Barcode: 0000129670

Microfilm: 150-0001.0716.0000

9/16/2011 28S

John E. Dougherty

Response/Reply to a Staff Report

Barcode: 0000129775

Microfilm: 150-0001.0766.0000

9/19/2011 06

Kathy M. Davis

Correspondence - Miscellaneous

Barcode: 0000129809

Microfilm: 150-0001.0781.0000

9/19/2011 06

Don and Rose Mary Barnes

Correspondence - Miscellaneous

Barcode: 0000129813

Microfilm: 150-0001.0795.0000

9/19/2011 28S

Douglas C. Fitzpatrick

Response/Reply to a Staff Report

Barcode: 0000129814

Microfilm: 150-0001.0796.0000

9/21/2011 57

John E. Dougherty

Notice of Filing - Miscellaneous

Barcode: 0000129891

Microfilm: 150-0001.0877.0000

9/23/2011 25H

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Sets a Hearing

Barcode: 0000129953

Microfilm: 150-0001.0944.0000

9/23/2011

Kayo Parsons-Korn

Consumer Letters (Support)

Barcode: 0000129975

Microfilm: 150-0001.0966.0000

9/26/2011 31

Arizona Reporting Service, Inc. - Court Reporters

Transcript

Barcode: 0000130028

Microfilm: 150-0001.1044.0000

9/29/2011 19W

Douglas C. Fitzpatrick

Motion/Request to Withdraw an Application/Filings

Barcode: 0000130116

Microfilm: 150-0001.1210.0000

10/3/2011 51G

Douglas Fitzpatrick

Return Receipt/Green Card

Barcode: 0000130217

Microfilm: 150-0001.1368.0000

10/3/2011 19

John E. Dougherty

Motion/Request - Miscellaneous

Barcode: 0000130225

Microfilm:

Arizona Corporation Commission Document List Report

W-04254A-11-0296

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
10/5/2011	51G	Arizona Reporting Service, Inc. - Court Reporters
Return Receipt/Green Card		
Barcode: 0000130300		Microfilm: 151-0001.0030.0000
10/5/2011	31	Arizona Reporting Service, Inc. - Court Reporters
Transcript		
Barcode: 0000130317		Microfilm: 151-0001.0046.0000
10/5/2011	31	Arizona Reporting Service, Inc. - Court Reporters
Transcript		
Barcode: 0000130318		Microfilm: 151-0001.0047.0000
10/6/2011		Douglas C. Fitzpatrick
Response to Motion		
Barcode: 0000130334		Microfilm: 151-0001.0100.0000
10/12/2011	25A	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Directing the Administrative Closure of the Docket		
Barcode: 0000130433		Microfilm: 151-0001.0242.0000
10/12/2011	57	Douglas C. Fitzpatrick
Notice of Filing - Miscellaneous		
Barcode: 0000130440		Microfilm: 151-0001.0234.0000
10/13/2011	47CO	Various Consumers
Consumer Comments - In Opposition		
Barcode: 0000130465		Microfilm: 151-0001.0263.0000
10/25/2011	51R	Patricia Olsen
Returned Certified Mail		
Barcode: 0000130688		Microfilm: 151-0001.0611.0000
10/25/2011	51R	John Dougherty
Returned Certified Mail		
Barcode: 0000130689		Microfilm: 151-0001.0612.0000
11/28/2011	21A	Kay Mecca, Docket Administrator (72702)
Decision - Directing the Administrative Closure of the Docket		
Barcode: 0000131937		Microfilm: 152-0001.0784.0000

Docket

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Subscribe:



Docket Number:

W-04254A-11-0323

Company Name:

Montezuma Rimrock Water Company LLC

DBA Name:

Docket Type:

Water

Case Type:

Formal Complaint

Current Status:

Open

Filed Date:

8/23/2011

Year:

2011

Matter Number:

0323

Description:

In the matter of the formal complaint against Montezuma Rimrock Water Company LLC filed by John Dougherty.

Special
Instructions:

Cancel

Full Text Document Search

Arizona Corporation Commission

Document List Report

W-04254A-11-0323

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
8/23/2011	01FC	John E. Dougherty
Application - Formal Complaint		
Barcode: 0000128662		Microfilm: 149-0001.0515.0000
8/24/2011	06FC	Kay Mecca, Docket Administrator
Correspondence - Formal Complaint Letter (Certified Mailing)		
Barcode: 0000128579		Microfilm: 149-0001.0528.0000
8/30/2011	51R	Montezuma Rimrock Water Company LLC
Returned Certified Mail		
Barcode: 0000129148		Microfilm: 150-0001.0006.0000
8/30/2011	14	John E. Dougherty
Exhibit		
Barcode: 0000129176		Microfilm: 150-0001.0050.0000
8/31/2011	25SP	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Sets a Procedural Schedule/Conference		
Barcode: 0000129220		Microfilm: 150-0001.0112.0000
9/9/2011	51G	Montezuma Rimrock Water Company LLC
Return Receipt/Green Card		
Barcode: 0000129447		Microfilm: 150-0001.0364.0000
9/9/2011	19WC	William Nicholas Kopko
Motion to Withdraw A Complaint		
Barcode: 0000129454		Microfilm: 150-0001.0378.0000
9/13/2011	19	John E. Dougherty
Motion/Request - Miscellaneous		
Barcode: 0000129575		Microfilm: 150-0001.0534.0000
9/14/2011	25	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Miscellaneous		
Barcode: 0000129592		Microfilm: 150-0001.0558.0000
9/23/2011	19	John E. Dougherty
Motion/Request - Miscellaneous		
Barcode: 0000129992		Microfilm: 150-0001.1021.0000
9/26/2011	31	Arizona Reporting Service, Inc. - Court Reporters
Transcript		
Barcode: 0000130026		Microfilm: 150-0001.1042.0000
9/30/2011	28FC	Douglas C. Fitzpatrick
Response/Reply to a Formal Complaint		

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W-04254A-11-0323

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By	
Barcode: 0000130150			Microfilm: 150-0001.1320.0000
10/3/2011	19	John E. Dougherty	
	Motion/Request - Miscellaneous		
Barcode: 0000130224			Microfilm:
10/12/2011	25SP	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.	
	Procedural Order - Sets a Procedural Schedule/Conference		
Barcode: 0000130434			Microfilm: 151-0001.0243.0000
10/17/2011	57	Ivo W. Buddeke III	
	Notice of Filing - Miscellaneous		
Barcode: 0000130515			Microfilm: 151-0001.0339.0000
10/25/2011	19S	Douglas C. Fitzpatrick, Atty.	
	Motion to Strike		
Barcode: 0000130677			Microfilm: 151-0001.0598.0000
10/25/2011	53	Douglas C. Fitzpatrick, Atty.	
	List of Witnesses and/or Exhibits		
Barcode: 0000130681			Microfilm: 151-0001.0602.0000
10/28/2011	57	John E. Dougherty	
	Notice of Filing - Miscellaneous		
Barcode: 0000130792			Microfilm: 151-0001.0725.0000
10/28/2011	19	John E. Dougherty	
	Motion/Request - Miscellaneous		
Barcode: 0000130798			Microfilm: 151-0001.0731.0000
10/31/2011	39E	John E. Dougherty	
	Miscellaneous - Notice of Errata		
Barcode: 0000130802			Microfilm: 151-0001.0785.0000
11/2/2011	28	Douglas C. Fitzpatrick	
	Response		
Barcode: 0000130876			Microfilm: 152-0001.0003.0000
11/2/2011	57	Douglas C. Fitzpatrick	
	Notice of Filing - Miscellaneous		
Barcode: 0000130877			Microfilm: 152-0001.0004.0000
11/2/2011	19	Douglas C. Fitzpatrick	
	Motion/Request - Miscellaneous		
Barcode: 0000130878			Microfilm: 152-0001.0005.0000
11/7/2011	19	John E. Dougherty	

Arizona Corporation Commission

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Montezuma Rimrock Water Company LLC

Filed Date Document Type Filed By

Motion/Request - Miscellaneous

Barcode: 0000131014

Microfilm: 152-0001.0194.0000

11/8/2011 31

Arizona Reporting Service, Inc. - Court Reporters

Transcript

Barcode: 0000131038

Microfilm: 152-0001.0224.0000

11/10/2011 25SP

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Sets a Procedural Schedule/Conference

Barcode: 0000131665

Microfilm: 152-0001.0295.0000

11/30/2011 57

Douglas C. Fitzpatrick

Notice of Filing - Miscellaneous

Barcode: 0000131996

Microfilm: 152-0001.0888.0000

12/5/2011 57

Charles Hains, Atty. - Legal Division, A.C.C.

Notice of Filing - Miscellaneous

Barcode: 0000132625

Microfilm: 153-0001.0082.0000

12/7/2011 25SP

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Sets a Procedural Schedule/Conference

Barcode: 0000132690

Microfilm: 153-0001.0159.0000

12/8/2011 31

Arizona Reporting Service, Inc. - Court Reporters

Transcript

Barcode: 0000132721

Microfilm: 153-0001.0176.0000

1/6/2012 19

Douglas C. Fitzpatrick

Motion/Request - Miscellaneous

Barcode: 0000133290

Microfilm: 155-0001.0113.0000

1/11/2012 25DM

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Denies a Miscellaneous Motion/Request

Barcode: 0000133388

Microfilm: 155-0001.0239.0000

2/7/2012 19

John E. Dougherty

Motion/Request - Miscellaneous

Barcode: 0000134133

Microfilm: 157-0001.0035.0000

2/27/2012 25

Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.

Procedural Order - Miscellaneous

Barcode: 0000134483

Microfilm: 158-0001.0020.0000

3/12/2012 55SC

Todd C. Wiley, Atty.

Substitution of Counsel

Barcode: 0000135078

Microfilm: 158-0001.0662.0000

Arizona Corporation Commission Document List Report

W-04254A-11-0323

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
3/13/2012	25SP	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Sets a Procedural Schedule/Conference		
Barcode: 0000135102 Microfilm: 158-0001.0687.0000		
4/6/2012	19HC	John E. Dougherty
Motion/Request to Continue a Hearing		
Barcode: 0000135707 Microfilm: 159-0001.0229.0000		
4/9/2012	25SP	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Sets a Procedural Schedule/Conference		
Barcode: 0000135726 Microfilm: 159-0001.0253.0000		
4/13/2012	57	John E. Dougherty
Notice of Filing - Miscellaneous		
Barcode: 0000135878 Microfilm: 159-0001.0409.0000		
5/14/2012	31	Arizona Reporting Service, Inc. - Court Reporters
Transcript		
Barcode: 0000136829 Microfilm: 160-0001.0407.0000		

Docket

Documents

Decisions

Case Schedule

Staff Assigned

Service List

Linked Dockets

Back

Subscribe: 

Docket Number: W-04254A-12-0204

Company Name: Montezuma Rimrock Water Company LLC

DBA Name:

Docket Type: Water

Case Type: Financing

Current Status: Open

Filed Date: 5/31/2012

Year:

2012

Matter Number:

0204

Description:

In the matter of the application of Montezuma Rimrock Water Company LLC for approval of financing to install a water line from the well on tieman to well #1 on towers.

Special
Instructions:

Per procedural order dated 07/24/2012, case numbers W-04254A-12-0204, W-04254A-12-0205, W-04254A-12-0206 and W-04254A-12-0207 are now consolidated.

Cancel

Full Text Document Search

Arizona Corporation Commission

Document List Report

W-04254A-12-0204

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
5/31/2012	01FN	Patricia Olsen
Application - Financing		
Barcode: 0000137333		Microfilm: 160-0001.0778.0000
6/7/2012	18	John E Dougherty III
Application / Motion to Intervene		
Barcode: 0000137238		Microfilm: 161-0001.0100.0000
6/25/2012	25I	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Grants an Intervention		
Barcode: 0000136591		Microfilm: 161-0001.0383.0000
7/2/2012	47CO	Ivo W Buddeke III
Consumer Comments - In Opposition		
Barcode: 0000137664		Microfilm: 161-0001.0527.0000
7/9/2012	47CO	Pamela Benetos
Consumer Comments - In Opposition		
Barcode: 0000137761		Microfilm: 162-0001.0123.0000
7/16/2012	28	Patricia D Olsen
Response		
Barcode: 0000138007		Microfilm: 162-0001.0266.0000
7/16/2012	28PO	Charles Hains, Atty. - Legal Division, A.C.C.
Response/Reply to a Procedural Order		
Barcode: 0000138022		Microfilm: 162-0001.0277.0000
7/24/2012	25C	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Consolidates cases		
Barcode: 0000138154		Microfilm: 162-0001.0418.0000
8/3/2012	19	Patricia D. Olsen
Motion/Request - Miscellaneous		
Barcode: 0000138495		Microfilm: 163-0001.0156.0000
8/8/2012		Charles Hains, Atty. - Legal Division, A.C.C.
Response to Motion		
Barcode: 0000136645		Microfilm: 163-0001.0228.0000
8/9/2012	25	Sarah N. Harpring, Administrative Law Judge - Hearing Division, A.C.C.
Procedural Order - Miscellaneous		
Barcode: 0000138324		Microfilm: 163-0001.0244.0000
8/14/2012	28PO	Patricia D. Olsen
Response/Reply to a Procedural Order		

Arizona Corporation Commission Document List Report

W-04254A-12-0204

Montezuma Rimrock Water Company LLC

Filed Date	Document Type	Filed By
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Barcode: 0000138571		
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Microfilm: 163-0001.0305.0000		
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9/4/2012	28DR	Patricia D. Olsen
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Response/Reply to a Data Request

Barcode: 0000138916		
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Microfilm: 164-0001.0043.0000		
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9/14/2012	28DR	Patricia D. Olsen
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Response/Reply to a Data Request

Barcode: 0000139531		
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Microfilm: 164-0001.0202.0000		
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10/9/2012	28DR	Patricia S. Olsen
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Response/Reply to a Data Request

Barcode: 0000139858		
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Microfilm:		
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10/10/2012	19	John E. Dougherty III
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Motion/Request - Miscellaneous

Barcode: 0000139877		
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Microfilm:		
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Tab 4

The BUGLE

Saturday, January 21, 2012

Finances, legal actions plague MR Water Co. arsenic plant

Steve Ayers
Staff Reporter

Saturday, January 21, 2012

BEAVER CREEK - The courtroom battle over Montezuma Rimrock Water Company's arsenic abatement plant and the well outside the gates of Montezuma Well that will serve it, is being fought on many fronts, causing many delays.

Most of the action has taken place before an administrative law judge ruling on matters related to the Arizona Corporation Commission.

There is also a case pending in Yavapai County Superior Court in which two plaintiffs, John Dougherty and Fred Shute, have filed claims against the county board of supervisors that they acted improperly when they approved a use permit for the well.

There is a criminal case pending against Ivo Buddeke, a neighborhood resident who is charged with weapons misconduct for having brandished a gun during a confrontation with crews building water lines from the well to the planned site of an arsenic treatment facility.

Lastly, MRWC owner Patsy Olsen was granted a harassment injunction from the Verde Valley Justice Court against Dougherty in July 2011, which remains in effect.

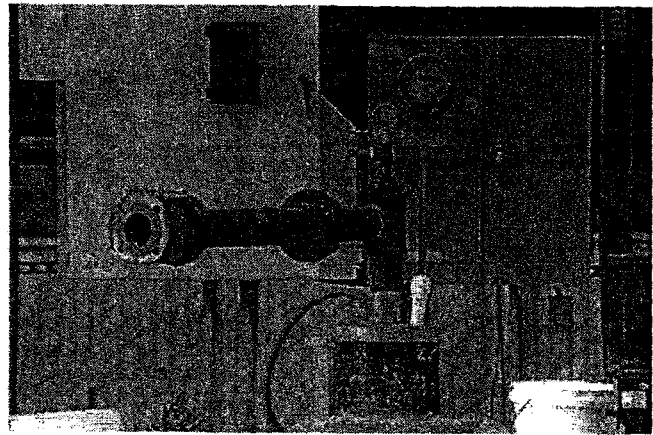
Corporation Commission

In the case before the ACC, MRWC attorney Douglas Fitzpatrick attempted to resign as the company's legal counsel this month, citing "the excessive and burdensome barrage of motions and discovery requests," by Dougherty, which "have resulted in significant time demands."

Administrative law Judge Sarah Harping denied the request, stating that Fitzpatrick had failed to demonstrate that his withdrawal would not "interfere with the administration of justice."

The judge also cited Olsen's request, filed the same day Fitzpatrick asked to be removed, to have Dougherty removed as an intervener in the case.

Because of the order from the justice court, forbidding communication between Olsen and



VVN/Steve Ayers

Financial uncertainties, delays, extensions and legal continuances have left the fate of Montezuma Rimrock Water Company's proposed arsenic treatment facility uncertain. Three legal cases are in play as well as three administrative actions, one of which is before an administrative law judge.

Dougherty except through "attorneys, legal process and court hearings," the judge has ordered that MRWC either:

- Employ another attorney
- Document that Dougherty and she can communicate without violating the order
- Modify her court order so communication can take place

In addition, MRWC has yet to file documents regarding its proposed lease for the arsenic treatment facility. Originally, Harping had set a Feb. 18 deadline, but because of the attorney resignation, the deadline has been put on hold.

MRWC had previously proposed a lease of \$30,000 that would be paid from "Olsen's personal funds," at 21.9 percent interest.

John Campbell, an accountant for RB-LB accounting services in Sedona, has submitted a letter to Judge Harping stating that MRWC was financially insolvent, as of Sept. 18, 2011.

Superior Court

Last week, the judge hearing the Superior Court case ruled against a motion by MRWC to have the county water code declared unconstitutional, because it is more restrictive than state law.

Briefs were filed but their merits were never heard because the judge ruled the MRWC had no claim against the county and therefore could not file a request for relief.

That case remains active in the courts. Earlier, the county had informed the judge that it would not issue a permit to operate the well until the company could meet the county's setback requirements, outlined in the water code.

The well was drilled on a residential parcel that has no spot on which to place a well that meets the code.

Extensions

In the criminal case against Buddeke, a trial was scheduled for Feb. 8, but the county is requesting an extension. A pretrial conference on that case is scheduled for Monday, Feb. 23.

MRWC has until April 6 to comply with an order from the Arizona Department of Environmental Quality to have the arsenic treatment facility up and running. ADEQ has granted an extension twice before, the most recent last June.

In addition, the use permit issued two years ago, which precipitated the Superior Court action, is set to expire on March 15. The use permit was issued in 2010 and was extended administratively a year ago, for one year.

Related Links:

Tab 5



P.O. Box 10
Rimrock, AZ 86335
928-300-3291

April 19, 2012

ADEQ
Attention: Henry Darwin & Mike Fulton
1110 W. Washington St.
Phoenix, AZ 85007

RE: System ID #13-071

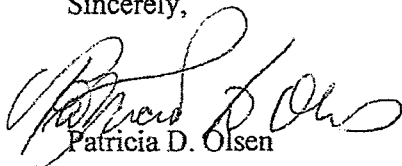
Dear Mr. Darwin & Mr. Fulton:

Enclosed are a few of the several emails which transpired between Mr. Mark Shaffer and Mr. John Dougherty. I believe these emails to be enlightening and ask that you review them. I believe you will agree with me that they are prejudiced and also lead to inappropriate communication between Mr. Shaffer and his friend Mr. Dougherty regarding my company, Montezuma Rimrock Water Company LLC. It also provides information as to Mr. Shaffer's inappropriate behavior in seeking information from other ADEQ staff so that he may inform Mr. Dougherty of the status of my company. Mr. Shaffer goes so far as to wish Mr. Dougherty "buen suerte" when informed of Dougherty's plot to attack my company at the County level.

I have been working hard to comply with the requirements imposed by ADEQ and EPA and yet Mr. Shaffer has been conspiring with Mr. Dougherty in prohibiting my forward movement on this project. I don't believe that a staff member who is working contrary to the goals of ADEQ as a regulatory agency is an asset. It is evident through the emails that there is collusion between Mr. Shaffer and Mr. Dougherty with respect to my company. I am demanding that action be taken immediately.

Should you have any questions regarding this matter, please call me at 928-300-3291.

Sincerely,


Patricia D. Olsen

Patricia Olsen

From: Mark Shaffer
Sent: Thursday, March 25, 2010 3:36 PM
To: 'John Dougherty'
Subject: RE: certified mail documents re MRWC

Sounds par for the course to me for mail service to northern Arizona....I often waited for a week for Republic expense checks to my PO box in Flag...

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Thursday, March 25, 2010 3:32 PM
To: Mark Shaffer
Subject: Re: certified mail documents re MRWC

Mark, Thanks. Did the postal service use a camel to get it Rimrock, or was MRWC ducking?
John

On Thu, Mar 25, 2010 at 3:19 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

--

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Thursday, March 25, 2010 1:38 PM
To: 'John Dougherty'
Subject: RE: MRWC compliance order
Attachments: 20100325131325856.pdf

John,

There was no extension of the deadline. See the above attachment and highlighted area taken from *Arizona Laws Relating to Environmental Quality*.

The law states 30 days after the receipt of the order and allows for the use of certified mail, which I'm told was used in this case.

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Thursday, March 25, 2010 11:04 AM
To: Mark Shaffer
Subject: Re: MRWC compliance order

Mark, Thanks, I appreciate your assistance.
This is a bit troubling to see the deadline slip.
Definitely would like a definitive explanation.
Thanks,
John

On Thu, Mar 25, 2010 at 11:01 AM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

John,

Continuing to check...

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Thursday, March 25, 2010 10:52 AM
To: Mark Shaffer
Subject: Re: MRWC compliance order

Mark,
After reviewing the attached compliance order, I don't understand why there is any extension of the deadline.

The compliance order was signed by Mark Fulton on Feb. 25.

1. Whose signature was needed on March 5 and why? Please provide a copy of this document.

2. When and how was the Compliance Order delivered to MRWC? Please provide copies of all records related to the delivery and receipt of the Compliance Order to MRWC.

Thanks,

John

On Thu, Mar 25, 2010 at 10:35 AM, John Dougherty <jd.investigativemedia@gmail.com> wrote:

Mark,

Thanks for the clarification on the deadline date. She had an attorney write ADEQ last fall. Perhaps it's the same guy.

Thanks,

John

On Thu, Mar 25, 2010 at 10:32 AM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

John,

The water people tell me that MRWC has until April 4 because it actually wasn't signed until March 5. I'm having them check to see if the filing is going to be coming down the pike this week. They also told me that she has an attorney now.

Later,

Mark

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]

Sent: Thursday, March 25, 2010 10:14 AM

To: Mark Shaffer

Subject: MRWC compliance order

Mark, Has MRWC filed an appeal on the Feb. 25 compliance order?

If not, when does it automatically go into effect? The order says 30 days from its issuance.

Also, the company's \$1,050 check for its notice to construct the arsenic treatment plant bounced. Has the company issued a new check?

Thanks,

John Dougherty
InvestigativeMedia.com
602-710-9433

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John Dougherty
InvestigativeMedia.com
602-710-9433

--

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--

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Thursday, March 25, 2010 3:07 PM
To: 'John Dougherty'
Subject: RE: MRWC compliance order

Yeah, I'm looking for it...

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Thursday, March 25, 2010 3:05 PM
To: Mark Shaffer
Subject: Re: MRWC compliance order

Mark, Thanks for the information and link to the Arizona Laws Relating to Environmental Quality.
For my records, I would like a copies of the following:

Please provide copies of the return receipt requested ADEQ prepared for the Compliance Order and the signature from MRWC showing the date it was received.

Thanks,
John

On Thu, Mar 25, 2010 at 1:37 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

John,

There was no extension of the deadline. See the above attachment and highlighted area taken from *Arizona Laws Relating to Environmental Quality*.

The law states 30 days after the receipt of the order and allows for the use of certified mail, which I'm told was used in this case.

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To: Mark Shaffer
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To: Mark Shaffer
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John Dougherty
InvestigativeMedia.com
602-710-9433

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John Dougherty
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602-710-9433

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--
John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Thursday, March 25, 2010 11:02 AM
To: 'John Dougherty'
Subject: RE: MRWC compliance order

John,
Continuing to check...

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Thursday, March 25, 2010 10:52 AM
To: Mark Shaffer
Subject: Re: MRWC compliance order

Mark,
After reviewing the attached compliance order, I don't understand why there is any extension of the deadline.

The compliance order was signed by Mark Fulton on Feb. 25.

1. Whose signature was needed on March 5 and why? Please provide a copy of this document.
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Thanks,

John

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John,

The water people tell me that MRWC has until April 4 because it actually wasn't signed until March 5. I'm having them check to see if the filing is going to be coming down the pike this week. They also told me that she has an attorney now.

Later,

Mark

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]

Sent: Thursday, March 25, 2010 10:14 AM

To: Mark Shaffer

Subject: MRWC compliance order

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Also, the company's \$1,050 check for its notice to construct the arsenic treatment plant bounced. Has the company issued a new check?

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John Dougherty
InvestigativeMedia.com
602-710-9433

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--

John Dougherty
InvestigativeMedia.com
602-710-9433

--

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Thursday, March 25, 2010 10:33 AM
To: 'John Dougherty'
Subject: RE: MRWC compliance order

John,

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Later,
Mark

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
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To: Mark Shaffer
Subject: MRWC compliance order

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If not, when does it automatically go into effect? The order says 30 days from its issuance.

Also, the company's \$1,050 check for its notice to construct the arsenic treatment plant bounced. Has the company issued a new check?

Thanks,

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Friday, March 19, 2010 5:30 PM
To: 'John Dougherty'
Subject: RE: new foia

John,
Got it...thanks. Records Center will be contacting you, as usual.

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Thursday, March 18, 2010 2:09 PM
To: Mark Shaffer
Subject: new foia

Hi Mark,

Please see the attached public records request.

Thanks,

John Dougherty
InvestigativeMedia.com
602-710-9433

From: Mark Shaffer
Sent: Tuesday, March 23, 2010 1:59 PM
To: 'John Dougherty'
Subject: RE: new foia

-----Original Message-----

Mark, Please let me know if and when MRWC files an appeal of compliance order.
Thanks,
John

[illegible]

1

> To: Mark Shaffer
> Subject: new foia

>
>
>
>
>

> Hi Mark,

>
> Please see the attached public records request.

>
> Thanks,

>
> John Dougherty
> InvestigativeMedia.com
> 602-710-9433

>
>
>
>

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>
>
>
>

--
John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Saturday, March 06, 2010 10:54 AM
To: 'John Dougherty'
Subject: RE: harassment injunction

Did you also send the "baby eater" tape and the two docs that you sent me the other day to Henry? I had forwarded it to our general counsel.

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Friday, March 05, 2010 7:57 PM
To: Mark Shaffer
Subject: harassment injunction

Judge Lundy dismissed the injunction today.
It was obvious Olsen was lying.
I'll send a copy of the order to Mr. Darwin as part of my complaint over Olsen's unethical behavior.

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Tuesday, March 02, 2010 5:47 PM
To: 'John Dougherty'
Subject: RE: FYI

I like that typo...."Peron in Neighborhood." Are you Juan or Eva in this scenario?

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Tuesday, March 02, 2010 5:40 PM
To: Mark Shaffer
Subject: Re: FYI

Mark,

No. He filed a restraining order against me. I have requested it to be dismissed. There's a hearing at 3 p.m., Friday, at Verde Valley Justice Court. He filed a false written statement to the court. I hope to prove that Friday.

I have attached Mr. Olsen's statement to the court, my statement to the court and an audio copy (must be amplified) of Mr. Olsen's slanderous statements about me to the Yavapai County Planning and Zoning Commission.

John

On Tue, Mar 2, 2010 at 4:14 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:
Do you have a restraining order against Greg?

From: John Dougherty <jd.investigativemedia@gmail.com>
To: Mark Shaffer
Sent: Tue Mar 02 15:09:17 2010
Subject: FYI

Mark:

The ADEQ Notice of Compliance was passed out during the ACC meeting today, which triggered a lively discussion.

The ACC refused by a 5-0 vote to extend the deadline on Well No. 4 to obtain the ADEQ AOC. The commission staff and the commission will meet later this month to discuss developing a Notice to Show Cause for the company to appear to determine whether management should be at least temporarily removed. The commission isn't happy about the situation.

John Dougherty
InvestigativeMedia.com
602-710-9433

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--
John Dougherty
InvestigativeMedia.com
602-710-9433

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

1. *Journal of Management Studies*, 1997, 34, 1, 1-14.

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>
> From: John Dougherty
> [mailto:jd.investigativemedia@gmail.com]
> Sent: Monday, March 01, 2010 12:31
> PM
> To: Mark Shaffer
> Subject: docs?
>
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>
> Hi Mark, I'd like to look at stuff at 8 a.m. Tuesday if at all
> possible.
>
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> This could negatively impact their ability to move a septic or leach
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> There's a use permit hearing before the BOS on March 15 ... It will
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> John Dougherty
> InvestigativeMedia.com
> 602-710-9433
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original e-mail. Thank you.
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--

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Monday, March 01, 2010 4:16 PM
To: 'John Dougherty'
Subject: RE: docs?

Hi John,

I checked with Judy and she said WIFA's are ready to go. But our Water Quality Division people told me that ADEQ's are another day away since they still need to go through the division director for approval. I had to route this request through Dan Borns initially so please contact him at either (602) 771-4355 or db9@azdeg.gov. The records center opens every day at 8:30...

I take it that vote will come from Chip?

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To: Mark Shaffer
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Let me know....

(Meanwhile--MRWC didn't drill the well where they said they would in documents submitted to the county in 2006; Now, it turns out the location of the well violates the Yavapai County Water Code of a 50 foot set back on three sides; The company is trying to get neighbors to sign a waiver allowing encroachment. This could negatively impact their ability to move a septic or leach field in the future. t One neighbor has refused, and is demanding an investigation, another is just wanting to stay out of the fray. Only the woman who sold MRWC the lot looks like she's on board.

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Thanks,

John Dougherty
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602-710-9433

Patricia Olsen

From: John Dougherty [jd.investigativemedia@gmail.com]
Sent: Thursday, March 25, 2010 10:14 AM
To: Mark Shaffer
Subject: MRWC compliance order

Mark, Has MRWC filed an appeal on the Feb. 25 compliance order?

If not, when does it automatically go into effect? The order says 30 days from its issuance.

Also, the company's \$1,050 check for its notice to construct the arsenic treatment plant bounced. Has the company issued a new check?

Thanks,

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: John Dougherty [jd.investigativemedia@gmail.com]
Sent: Thursday, March 25, 2010 10:35 AM
To: Mark Shaffer
Subject: Re: MRWC compliance order

Mark,

Thanks for the clarification on the deadline date. She had an attorney write ADEQ last fall. Perhaps it's the same guy.

Thanks,

John

On Thu, Mar 25, 2010 at 10:32 AM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

John,

The water people tell me that MRWC has until April 4 because it actually wasn't signed until March 5. I'm having them check to see if the filing is going to be coming down the pike this week. They also told me that she has an attorney now.

Later,

Mark

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Thursday, March 25, 2010 10:14 AM
To: Mark Shaffer
Subject: MRWC compliance order

Mark, Has MRWC filed an appeal on the Feb. 25 compliance order?

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--
John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: John Dougherty [jd.investigativemedia@gmail.com]
Sent: Tuesday, April 13, 2010 1:23 PM
To: Mark Shaffer
Subject: Re: law suit vs. Board of Supervisors filed

Hi Mark, Thanks for the update.

John

On Tue, Apr 13, 2010 at 1:13 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

Hi John,

I saw the story in the Camp Verde paper about that....buen suerte...

Either Henry Darwin or Bret Parke will respond to your latest email here since that's outside my realm.

Regards,

Mark

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Tuesday, April 13, 2010 12:57 PM
To: Mark Shaffer; Henry Darwin
Subject: law suit vs. Board of Supervisors filed

Mark, I've attached a copy of our complaint filed in Yavapai County Superior Court challenging the Board of Supervisor's granting of a Use Permit to MRWC.

What is the date of the informal settlement conference requested by MRWC to discuss the compliance order?

I also noticed in my latest review of the ADEQ files that it failed to contain a copy of the Verde Valley Justice Court dismissal of Greg Olsen's harassment complaint. I've attached another copy so that it can be included in the file.

Thanks,

John Dougherty

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John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: John Dougherty [jd.investigativemedia@gmail.com]
Sent: Tuesday, June 08, 2010 1:39 PM
To: Mark Shaffer
Subject: Re: John, here is the appeal

Mark,

Has the ADEQ informal settlement conference been held with MRWC?

John

On Fri, Mar 26, 2010 at 2:40 PM, John Dougherty <jd.investigativemedia@gmail.com> wrote:
Mark,

Thanks for the appeal.

Is the informal settlement conference MRWC requesting a public meeting? If so, I would like to be noticed to attend and present evidence.

Has the ACC been copied on this appeal?

Ms. Olsen told the ACC during the March 2 hearing that the company was prepared to provide alternative drinking water to the community.

Now, her attorney says that's an impossible financial burden.

ADEQ should obtain a copy of the audio tape of the March 2 hearing and listen to Ms. Olsen's statement concerning this issue.

Thanks,
John

On Fri, Mar 26, 2010 at 2:10 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

John Dougherty
InvestigativeMedia.com
602-710-9433

--

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: John Dougherty [jd.investigativemedia@gmail.com]
Sent: Thursday, September 23, 2010 5:27 PM
To: Mark Shaffer
Subject: Re: John, here is the consent order for Montezuma Rimrock

Mark, Thanks,

John

On Thu, Sep 23, 2010 at 5:25 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

Duly filed and recorded...

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Thursday, September 23, 2010 1:50 PM

To: Mark Shaffer
Subject: Re: John, here is the consent order for Montezuma Rimrock

Hi Mark, Thanks for the quick response. I've attached a public records request seeking all documents that are required to be filed by MRWC in connection with the Order. Hope all is well on your end.

Best,
John

On Thu, Sep 23, 2010 at 1:20 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

Hi John

The effective date of the Consent Order between MRWC and ADEQ was June 7, 2010. I've asked the attorneys about the force majeure matter but there has been no response yet.

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Wednesday, September 22, 2010 7:50 PM
To: Mark Shaffer

Subject: Re: John, here is the consent order for Montezuma Rimrock

Mark, Thank you for the copy of the consent decree signed by ADEQ and MRWC.

What is the effective date of the Consent Decree?

If the company claims there is a force majeure that has blocked the consent decree from going into effect, please provide a copy of MRWC's written notification to ADEQ that is required by the Consent Decree to be submitted within five days of MRWC becoming aware of a force majeure.

Best,

John

On Thu, Jul 15, 2010 at 3:26 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

--

John Dougherty
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John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: John Dougherty [jd.investigativemedia@gmail.com]
Sent: Tuesday, April 26, 2011 5:15 PM
To: Mark Shaffer
Subject: Re: MRWC records
Attachments: 04-27-11stf.doc

Here's the agenda for the staff/commission meeting tomorrow....ADEQ should send someone over...

On Tue, Apr 26, 2011 at 5:13 PM, John Dougherty <jd.investigativemedia@gmail.com> wrote:
Mark:

I was at my house down the street. I didn't witness the event but saw my neighbor sitting in the road handcuffed. Patsy then talked to two YCSOs and pointed my way. The officers, armed with rifles, came down to my property and told me to "mine my ps and qs if I didn't want to end up like" my neighbor.

The evidence indicates MRWC trespassed on to my neighbor's land. He had it surveyed and it clearly shows the trees destroyed by MRWC's work crew were on his property. Ivo Budduke promises to file a civil suit shortly against MRWC and the contractor.

We have are awaiting a decision in Superior Court on our law suit. During the hearing last Thursday, the judge extracted a promise from the Yavapai County deputy attorney Jack Fields that the county would not issue a "certificate of compliance" necessary for MRWC to operate the well unless the company first received waivers from two neighbors.

This is crucial. We've argued all along that the well site parcel does not meet the Yavapai County water code because there is no spot on it that meets the 50 foot setback with all boundaries.

It appears MRWC needs to get the two adjoining property owners to agree to the easement. Both property owners have mortgages. It's unlikely the property owner can grant a permanent easement on their property that would restrict moving a failing septic system without the lender's permission. The septic system on one of the lots is questionable. An expert will evaluate later this week.

To top off the week, it turns out MRWC was improperly charging its customers with an arsenic treatment surcharge in violation of ACC order 71317 from 2009 that required the company to get a WIFA loan. (See attachments...some good explanation in the "attachments redacted pages")

MRWC admits it did this in order to convince a private lender to loan it money to pay for the rest of the project. An MRWC customer complained, and the ACC told MRWC to cease the collection and refund the money. The bank then withdrew the offer of the loan.

But in the never ending accommodation for MRWC, the ACC is now moving to modify the 2009 decision to allow the company to obtain private financing. (It should be sending a criminal referral, in my humble opinion!)

There's a staff/commission meeting tomorrow to discuss and possibly vote on reopening the decision.

The commission staff, so far, has not released any public information on the impact of a private loan vs. the WIFA loan.

Nor has it released any information comparing the cost of the MRWC arsenic treatment plant and operating

costs (estimated at \$100,000/year) with the cost of simply extending the pipe down the road and letting Arizona Water Company take over.

But that would make too much sense. AWC, after all, has much lower rates, has the arsenic treatment plant already installed and is a professionally managed company.

John

On Tue, Apr 26, 2011 at 4:42 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

Thanks, John....moved it to the appropriate folks. Were you at the scene during the takedown the other day?

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Tuesday, April 26, 2011 4:31 PM
To: Mark Shaffer
Subject: MRWC records

Hi Mark, I understand MRWC is seeking an extension of the June 2010 Consent Order deadline. See attached request.

Thanks,

John Dougherty
InvestigativeMedia.com
[602-710-9433](tel:602-710-9433)

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John Dougherty
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[602-710-9433](tel:602-710-9433)

--
John Dougherty

InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Samantha L. Lee
Sent: Tuesday, June 28, 2011 8:43 AM
To: AOT Copy Center
Subject: FW: Christina, here are all of John Dougherty's emails to me for that Olsen FOI request..
Attachments: Re: MRWC compliance order; letter objecting to MRWC request to extend Consent Order; Re: MRWC records; Re: MRWC records; MRWC records; public records request and photos of MRWC well connection; Re: John, here is the consent order for Montezuma Rimrock; Re: John, here is the consent order for Montezuma Rimrock; Re: John, here is the consent order for Montezuma Rimrock; Re: Montezuma Rimrock; Re: John, here is the appeal; Re: law suit vs. Board of Supervisors filed; law suit vs. Board of Supervisors filed; Re: informal settlement conference; informal settlement conference; Re: certified mail documents re MRWC; Re: certified mail documents re MRWC; Re: MRWC compliance order; Re: MRWC compliance order; Re: MRWC compliance order; Re: MRWC compliance order; Re: new foia; Re: new foia; Re: new foia; Re: new foia; new foia; Olsen complaint; harassment injunction; Re: FYI; Re: FYI; FYI; Re: docs?; docs?; public records request

Follow Up Flag: Follow up
Due By: Tuesday, June 28, 2011 3:00 PM
Flag Status: Flagged

AOT,

There is another email with more attachments. Please put all the attachments onto a CD.

Patricia Olsen

From: Mark Shaffer
Sent: Tuesday, April 26, 2011 4:43 PM
To: 'John Dougherty'
Subject: RE: MRWC records

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602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Tuesday, May 03, 2011 1:22 PM
To: 'John Dougherty'
Subject: RE: letter objecting to MRWC request to extend Consent Order

Done...

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Tuesday, May 03, 2011 1:20 PM
To: Mark Shaffer
Subject: letter objecting to MRWC request to extend Consent Order

Mark, Please forward this letter and exhibits to Marcia Colquitt in Drinking Water Compliance and to the appropriate parties who will review MRWC's March 24, 2011 request to extend Consent Order DW-36-10 beyond the June 7, 2011 deadline. I will hand deliver a copy of this letter and exhibits later today.

Thank you,

--

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Thursday, September 23, 2010 5:26 PM
To: 'John Dougherty'
Subject: RE: John, here is the consent order for Montezuma Rimrock

Duly filed and recorded...

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Thursday, September 23, 2010 1:50 PM
To: Mark Shaffer
Subject: Re: John, here is the consent order for Montezuma Rimrock

Hi Mark, Thanks for the quick response. I've attached a public records request seeking all documents that are required to be filed by MRWC in connection with the Order. Hope all is well on your end.

Best,
John

On Thu, Sep 23, 2010 at 1:20 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

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John Dougherty
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602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Tuesday, October 05, 2010 8:46 AM
To: 'John Dougherty'
Subject: RE: John, here is the consent order for Montezuma Rimrock

John,
Did Christina in records contact you that your request is ready?

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Thursday, September 23, 2010 5:27 PM
To: Mark Shaffer
Subject: Re: John, here is the consent order for Montezuma Rimrock

Mark, Thanks,

John

On Thu, Sep 23, 2010 at 5:25 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

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From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Thursday, September 23, 2010 1:50 PM

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To: Mark Shaffer

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--
John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Wednesday, June 09, 2010 9:24 AM
To: 'John Dougherty'
Subject: RE: Montezuma Rimrock

John,
Awaiting an answer from the lawyers... how's the campaign going? I definitely want to see you in a debate setting. The Dem primary is going to be very interesting.

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Tuesday, June 08, 2010 5:30 PM
To: Mark Shaffer
Subject: Re: Montezuma Rimrock

Hi Mark, So where does the public have an opportunity to review and comment on the proposed consent order?
Thanks,
John

On Tue, Jun 8, 2010 at 4:12 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

Hi John,

Here is the process stuff from the office of administrative hearings. There was a status conference on May 24 and it was reported to the court that the consent order was almost final and that there would be another status hearing in 30 days.

Montezuma Rimrock Water Company, LLC

Docket No. 10A-DW014-DEQ

Event Date	Event Type	Event Notes
3/31/2010	REQHRG Date hearing requested	REQHRG Date hearing requested
3/31/2010 10:24:00 AM	HEARSC date hearing scheduled	HEARSC date hearing scheduled
4/1/2010	Agency record	Agency record
4/1/2010	RECAPPEAR -- Ntc of Appearance	RECAPPEAR -- Ntc of Appearance, submitted by Mark Horlings/pm
4/1/2010	RECNOH received notice of hearing	RECNOH received notice of hearing 5-24-10 @ 8am/lb
		attached NOTICE OF REQUEST FOR INFORMAL SETTLEMENT CONFERENCE submitted by Judith Fought/lb

4/23/2010	RECMC Motion for Continuance received	RECMC Motion for Continuance received MOTION TO CONTINUE ADMINISTRATIVE LAW JUDGE HEARING FOR 24 HOURS submitted by Phillip Fargotstein/lb
4/30/2010	RECRC Response to Continuance motion	RECRC Response to Continuance motion submitted by Mark Horlings, AAG /tm
4/30/2010	Order due in five days	Order due in five days
5/4/2010	OGC Order granting continuance	OGC Order granting continuance
5/5/2010	Order Due	Order Due
5/5/2010 9:00:00 AM	Order transmitted	Order transmitted
5/19/2010	action due on status hearing in five days	action due on status hearing in five days
5/24/2010	ORDER ALJ order misc or combo	ORDER ALJ order misc or combo 5/25/10: ORDER SETTING FILING DEADLINE transmitted to the parties./cas
5/24/2010 8:00:00 AM	HEARIN Hearing	HEARIN Hearing
5/24/2010 8:00:00 AM	STATUS Hearing (Status Only)	STATUS Hearing (Status Only)

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John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Thursday, April 01, 2010 2:49 PM
To: 'John Dougherty'
Subject: RE: informal settlement conference

John,

Sorry, I've been distracted with other issues surrounding the state budget crisis.

The settlement conference isn't a public meeting. Those conferences are scheduled in accordance with the Arizona Administrative Procedures Act but I don't have a date for you yet.

As far as your FOI request, we are still gathering records from the water quality division and ADEQ's northern regional office.

Here is the information I was provided regarding the Greg Olsen complaint: "There is nothing that has been provided, nor that ADEQ has found, demonstrating Greg Olsen has contravened any personnel rules or conflict of interest laws. Our review of the records and events reveals that Greg Olsen did not represent himself as an ADEQ employee. To the contrary, Mr. Olsen specifically disclaimed any connection between his ADEQ employment and his extra-work activities as a homeowner, customer and HOA member. While Mr. Olsen has filed the requisite conflict of interest forms, ADEQ reminded Mr. Olsen of these requirements. If new information comes to light ADEQ will review it."

Regards,
Mark

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Thursday, April 01, 2010 11:00 AM
To: Mark Shaffer
Subject: informal settlement conference

Hi Mark,

Questions:

1. Is the informal settlement conference requested by MRWC a public meeting?
2. Has the conference been scheduled?
3. I have not yet received any records from my last public records request. When will those records be made available?
4. What is the status of my formal complaint concerning Greg Olsen?

Thanks

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Tuesday, April 13, 2010 1:14 PM
To: 'John Dougherty'
Subject: RE: law suit vs. Board of Supervisors filed

Hi John,
I saw the story in the Camp Verde paper about that....buen suerte...

Either Henry Darwin or Bret Parke will respond to your latest email here since that's outside my realm.

Regards,
Mark

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Tuesday, April 13, 2010 12:57 PM
To: Mark Shaffer; Henry Darwin
Subject: law suit vs. Board of Supervisors filed

Mark, I've attached a copy of our complaint filed in Yavapai County Superior Court challenging the Board of Supervisor's granting of a Use Permit to MRWC.

What is the date of the informal settlement conference requested by MRWC to discuss the compliance order?

I also noticed in my latest review of the ADEQ files that it failed to contain a copy of the Verde Valley Justice Court dismissal of Greg Olsen's harassment complaint. I've attached another copy so that it can be included in the file.

Thanks,

John Dougherty
InvestigativeMedia.com
602-710-9433

Patricia Olsen

From: Mark Shaffer
Sent: Thursday, March 25, 2010 3:40 PM
To: 'John Dougherty'
Subject: RE: certified mail documents re MRWC

Will do....

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Thursday, March 25, 2010 3:40 PM
To: Mark Shaffer
Subject: Re: certified mail documents re MRWC

It's funny, USPS can get the mail from Prescott to Rimrock next day. But from Phx to Verde Valley, it does seem to be a bit slow.

Anyway, thanks for digging this up. Please keep me posted if MRWC files an appeal.
Best,
John

On Thu, Mar 25, 2010 at 3:36 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

Sounds par for the course to me for mail service to northern Arizona....I often waited for a week for Republic expense checks to my PO box in Flag...

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Thursday, March 25, 2010 3:32 PM
To: Mark Shaffer
Subject: Re: certified mail documents re MRWC

Mark, Thanks. Did the postal service use a camel to get it Rimrock, or was MRWC ducking?
John

On Thu, Mar 25, 2010 at 3:19 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

John Dougherty
InvestigativeMedia.com
602-710-9433

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John Dougherty
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Patricia Olsen

From: Mark Shaffer
Sent: Thursday, March 25, 2010 3:07 PM
To: 'John Dougherty'
Subject: RE: MRWC compliance order

Yeah, I'm looking for it...

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Thursday, March 25, 2010 3:05 PM
To: Mark Shaffer
Subject: Re: MRWC compliance order

Mark, Thanks for the information and link to the Arizona Laws Relating to Environmental Quality.
For my records, I would like a copies of the following:

Please provide copies of the return receipt requested ADEQ prepared for the Compliance Order and the signature from MRWC showing the date it was received.

Thanks,
John

On Thu, Mar 25, 2010 at 1:37 PM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

John,

There was no extension of the deadline. See the above attachment and highlighted area taken from *Arizona Laws Relating to Environmental Quality*.

The law states 30 days after the receipt of the order and allows for the use of certified mail, which I'm told was used in this case.

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]
Sent: Thursday, March 25, 2010 11:04 AM

To: Mark Shaffer
Subject: Re: MRWC compliance order

Mark, Thanks, I appreciate your assistance.
This is a bit troubling to see the deadline slip.
Definitely would like a definitive explanation.
Thanks,
John

On Thu, Mar 25, 2010 at 11:01 AM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

John,

Continuing to check...

From: John Dougherty [<mailto:jd.investigativemedia@gmail.com>]
Sent: Thursday, March 25, 2010 10:52 AM
To: Mark Shaffer
Subject: Re: MRWC compliance order

Mark,
After reviewing the attached compliance order, I don't understand why there is any extension of the deadline.
The compliance order was signed by Mark Fulton on Feb. 25.

1. Whose signature was needed on March 5 and why? Please provide a copy of this document.
2. When and how was the Compliance Order delivered to MRWC? Please provide copies of all records related to the delivery and receipt of the Compliance Order to MRWC.

Thanks,

John

On Thu, Mar 25, 2010 at 10:35 AM, John Dougherty <jd.investigativemedia@gmail.com> wrote:

Mark,

Thanks for the clarification on the deadline date. She had an attorney write ADEQ last fall. Perhaps it's the same guy.

Thanks,

John

On Thu, Mar 25, 2010 at 10:32 AM, Mark Shaffer <Shaffer.Mark@azdeq.gov> wrote:

John,

The water people tell me that MRWC has until April 4 because it actually wasn't signed until March 5. I'm having them check to see if the filing is going to be coming down the pike this week. They also told me that she has an attorney now.

Later,

Mark

From: John Dougherty [mailto:jd.investigativemedia@gmail.com]

Sent: Thursday, March 25, 2010 10:14 AM

To: Mark Shaffer

Subject: MRWC compliance order

Mark, Has MRWC filed an appeal on the Feb. 25 compliance order?

If not, when does it automatically go into effect? The order says 30 days from its issuance.

Also, the company's \$1,050 check for its notice to construct the arsenic treatment plant bounced. Has the company issued a new check?

Thanks,

John Dougherty
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